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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**DISTRICT EDUCATIONAL OFFICER,
KURNOOL**

Rc.No.2045/B1/2020.

Date : 26.08.2021.

Sri J.SIVA MURTHY, SGT, MPPS (M), VADDEMAN (V), NANDIKOTKUR (M) WHO HAS UNAUTHORIZED ABSENT TO DUTIES FROM 14.05.2020 - AFTER EXPIRY OF MEDICAL LEAVES NOT ATTENDING THE SCHOOL FROM 14.05.2020 TO TILL TO DATE WITHOUT ANY KIND OF LEAVE (MORE THAN ONE YEAR) - WITHOUT PRIOR PERMISSION OF THE HIGHER AUTHORITIES - REMOVED FROM SERVICE.

- Read :1. G.O.Ms.No.127 GAD (Ser-c) Dept., dt:15.09.2017.
2. Proc.Rc.No.13026/27/2018-EST 3-CSE, dt: 16.06.2020 of the Commissioner of School Education, A.P., Amaravathi.
3. Lr.Rc.No.01/Spl/2020 Dated: 13.02.2020 of the Mandal Ednl Officer, Nandikotkur.
4. Lr.Rc.No.01/Spl/2020 Dated: 21.03.2020 of the Mandal Ednl Officer, Nandikotkur.
5. Lr.Rc.No.01/Spl/2020 Dated: 29.06.2020 of the Mandal Ednl Officer, Nandikotkur.
6. Lr.Rc.No.01/Spl/2020 Dated: 25.08.2020 of the Mandal Ednl Officer, Nandikotkur.
7. This office show cause notice Rc.No.2045/B1/2020 Dt. 28.08.2020.
8. Lr.Rc.No.05/SPL/2020 Dt. 05.10.2020 of the Mandal Educational Officer, Nandikotkur.
9. Lr.Rc.No.2020/Spl Dt. 23.03.2021 of the Mandal Educational Officer, Nandikotkur.
10. This office show cause notice Rc.No.2045/B1/2020 Dt. 08.06.2021.
11. Lr. Dt. 21.06.2021 of Sri J.Siva Murthy, SGT, MPPS(M), Vaddeman (V), Nandikotkur (M).
12. Lr.Rc.No.01/A/Spl/2021 Dt. 23.06.2021 of the Mandal Educational Officer, Nandikotkur.

In the reference 3rd to 6th read above, the Mandal Educational Officer, Nandikotkur has reported that, Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) is not attending the school from 14.05.2020. After expiry of Medical Leaves not attending the school from 14.05.2020 to till to date without any kind of leave till to date without prior permission of the higher authorities and he was unauthorized absent from duties.

The Mandal Educational Officer, Nandikotkur has stated that said individual has applied Medical Leave from 09.07.2019 to 13.05.2020 (extending Medical leaves continuously from 09.07.2019) and after expiry of Medical Leave. Further, he is un-authorized absent to school from 14.05.2020 till to date.

Further, Government vide G.O.Ms.No.127 GAD (Ser-c) Dept., dt: 15.09.2017 have issued amendment to APCS (CC&A) Rules, 1991, Rule 9 as "After Clause (ix) of Rule 9 of said rules the following shall be incorporated; Provided that a Government Servant shall be **deemed to have been removed from service, if he / she:**

- (a) is absent from duty without authorization for a period exceeding one year, or
- (b) Remains absent from duty for a continuous period exceeding 5 years with or without leave; or
- (c) Continues on foreign service beyond the period approved by the State Government."

As per, the above Government rules, it is clearly shows that, Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) (un-authorized absent) is negligent towards his legitimate duties and also he is unauthorized absent to his duties from 14.05.2020, till to date without obtaining any kind of leave sanction orders from the competent authority.

In the reference 7th read above, a show cause notice was issued to Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) (un-authorized absent) with direction to explain as to why he should not deemed to have been removed from service under clause (a) & (b) under rule-I of G.O.Ms.No.127 General Admn (Service C) Dept, Dated: 15-09-2017 and also under F.R. 18. A, for the afore said lapses and his unauthorized absence to duties.

In the reference 8th read above, the Mandal Educational Officer, Nandikotkur has stated that show cause notice dt. 28.08.2020 were served to Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) and obtained acknowledgment on 01.09.2020. But the said teacher did not submit any explanation so far and no response to his phone calls as stated by the Mandal Educational Officer, Nandikotkur.

In the reference 9th read above, the Mandal Educational Officer, Nandikotkur has stated that show cause notice dt. 28.08.2020 were served to Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) under proper acknowledgment on 01.09.2020, but till to date no reply/ explanation received in this office and also no response to phone calls and completed eight years of service in teachers transfers, 2020 and not applied for transfers 2020 and as on 23.03.2021 he did not submitted any explanation on the said issue.

In the reference 10th read above, a final show cause notice was issued to Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) (un-authorized absent), is directed to explain as to why he should not removed from service under clause (a) & (b) under rule-I of G.O.Ms.No.127 General Admn (Service C) Dept, dated: 15-09-2017 and also under F.R.18.A, for the afore said lapses and his unauthorized absence to duties

In reply to this office reference 10th read above, Sri J.Siva Murthy, SGT, MPPS (M), Vaddeman (V), Nandikotkur (M) (un-authorized absent) has stated that, he was suffering from back pain and applied medical leave from 09.07.2019 to 14.05.2020 on medical certificates. The said teacher taking treatment at Bangalore. Since 14.05.2020 to 21.06.2021 he was on bed rest and not in position even to do his personal work. Since 15.05.2020 to 21.06.2021, he could not made correspondence due to the Covid situation and lock down. Treat this as first mistake and requested will not to repeated in future. Due his health condition, Doctor advised him that there is need of treatment for two or three months and rest. The said individual has informed that medical certificate be issued as per the hospital norms before the discharge it could not possible to issue medical certificate due to the present situation. He has stated that he will produce medical certificate after discharge from hospital and due to his medical treatment, medial leave extended up to 30.09.2021 and requested to sanction medical leaves.

As seen from the reference 11th read above, Sri J.Siva Murthy, SGT, (un-authorized absent) MPPS (M), Vaddeman (V), Nandikotkur (M) in letter dt. 21.06.2021, shown Bangalore as present station. But, register post done at IDA Jeedimetla, Hyderabad vide No.RN038273689IN Dt.21.06.2021 and present station dates are same ie., 21.06.21 and also not mentioned any details of his treatment hospital address in Bangalore. Further, also stated that he was under medical treatment at Bangalore since from 14.05.2020 to 21.06.2021 on bed rest and not in position even to do his personal work. But, the said individual received in person on 17.06.2021 this office final Show Cause notice vide Rc.No.2045/B1/2020 Dt. 08.06.2021 from the Mandal Educational Officer, Nandikotkur.

Whereas, the Mandal Educational Officer, Nandikotkur has stated clearly that, he has been unauthorized absent to duties from 14.05.2020 and stated that, there was no communication. The written explanation has been examined carefully and found not satisfactory and not convincing and hence, found liable for imposing a penalty against the individual for his continuous long absent to duties since 14.05.2020.

Therefore, for the grounds and circumstances disclosed above, the District Educational Officer, Kumool being the appointing authority have decided that, Sri J.Siva Murthy, SGT, Unauthorized absentee is deemed to have been removed from the service w.e.f. 14.05.2021 in accordance under clause (a) vide G.O.Ms.No.127 General Administration (Ser.C) Department, Govt. AP Dt: 15.09.2017 and Prodgs. Rc.No. 13026/27/2018-EST-3-CSE Dt. 16.06.2020 of the Commissioner of School Education, A.P., Amaravathi.

Now, therefore, the District Educational Officer, Kumool after careful examination of the entire matter hereby impose the penalty of removal from service w.e.f. 14.05.2021 on Sri J.Siva Murthy, SGT for his willful un-authorized absence for more than one year one month 08 days under Rule 9(ix) of Andhra Pradesh Civil Services (CCA) Rules 1991 as amended in G.O.M.s.No.127 General Admn (services.C) Department, Dt: 15- 09-2017 read with Rule 18, Note (1) of F.R.duly treating the un- authorized absence period from 14.05.2020 onwards as “dies-non”and Rule 5 A of AP Leave Rules and note 1 there under for all purposes specified therein.

Receipt of these proceedings should be acknowledged.

M. SAIRAM,
District Educational Officer,
Kumool.

To

Sri J.Siva Murthy, SGT, (un-authorized absent) MPPS (M), Vaddeman (V), Nandikotkur (M) through the Mandal Educational Officer, Nandikotkur.

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